IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 17086 of 2003

For Approval and Signature:

HONOURABLE MR. JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE MD SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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G.R. BHAI SECURITY FORCE NO. 844510880 - Petitioner(s)
Versus
UNION OF INDIA & 2 - Respondent(s)

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Appearance :
MR ANAND L SHARMA for Petitioner(s) : 1,
RULE SERVED for Respondent(s) : 1 - 3.
MS RATNA VORA for Respondent(s) : 2,
SERVED BY RPAD - (R) for Respondent(s) : 3,

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CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA

and

HONOURABLE MR.JUSTICE MD SHAH

Date : 08/08/2006

ORAL JUDGMENT

(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)

The petitioner has challenged, in this petition,

the order passed by the respondent – Authority in changing his PSL Number from 34905 to 53993 and prayed that the impugned communication dated 1.8.2003 be quashed and set aside. The challenge was made in this petition by the petitioner on the ground that without giving any opportunity of hearing to the petitioner the respondent Authority had changed his PSL Number. On the basis of the averments made on oath in this petition by the petitioner the Division Bench of this Court straightway admitted the petition on 9.12.2003 by issuing Rule on it. In response to the Notice of Rule issued by this Court, on behalf of the respondents, detailed Reply Affidavit is filed by Shri Saiyed Yakub, working as Sr. Commandant in Central Industrial Security Force, Unit ONGC, Ankleshwar, wherein it is clearly stated that they have not violated any principles of natural justice in case of the petitioner by changing his PSL Number. In fact the petitioner was appointed in CISF on 31.8.1984 and he was later on released on resignation with effect from 31.3.1986, on his own request, by an order dated 31.3.1986. It is thereafter only when he was reenlisted in service with effect from 11.11.1989, with the clear understanding that he will not get any benefit of his past service i.e. from 31.8.1984 to 11.11.1989. He agreed to it and, subsequently upon his reenlistment in service in CISF he was re-allotted with fresh PSL NO. 53993. All these material facts have been deliberately suppressed by the petitioner in his petition. Therefore, only on this ground the petition is

required to be dismissed in absence of any Rejoinder filed by the petitioner to the averments made in Reply Affidavit, filed on behalf of the respondent.

In view of the above discussion, this petition fails and is hereby dismissed. However, there shall be no order as to costs.

(B.J.SHETHNA,J.)

(M. D. SHAH, J.)

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